

FILED

AUG - 4 2008

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

OFFICE OF THE CLERK

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

MICHAEL N. MILBY

POST OFFICE BOX 61010

CLERK

HOUSTON, TEXAS 77208

DATE: July 30, 2008

TO: U. S. District Court
Northern District of California
280 South First Street, Room 2112
San Jose, CA 95113

FROM: M. Lerma, Deputy Clerk

Case No. Cr H-08-579M
Your Case No. C/C07-4234 USA vs Paul Sholtz

Enclosed please find all papers pursuant to Rule 5 of the Federal Rule of Criminal Procedure:

File (including minutes, orders, etc.)

Bonds (any cash deposit in the Registry will be forwarded under separate cover)

Passports:

Other:

Please sign and return a copy of this form in the enclosed envelope.

Rec'd by: _____ Date _____

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CRIMINAL DOCKET FOR CASE #: 4:08-mj-00579-1
Internal Use Only**

Case title: USA v. Sholtz

Date Filed: 07/28/2008

Other court case number: C07-cv-04234 JW
Northern District of CaliforniaAssigned to: Magistrate Judge
Calvin Botley**Defendant (1)****Paul Sholtz**represented by **Federal Public Defender - Houston**
440 Louisiana
Ste 310
Houston, TX 77002
713-718-4600
Fax: 713-718-4610
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender
Appointment***Pending Counts**

None

Disposition**Highest Offense Level
(Opening)**

None

COPY I CERTIFY

Milby, Clerk of Court

Mercedita P. Lenna

Deputy Clerk

Disposition**Terminated Counts**

None

Highest Offense Level
(Terminated)

None

Complaints **Disposition**

None

Plaintiff

USA

Date Filed	#	Docket Text
07/28/2008	<u>1</u>	Copy of Civil Minutes filed in the Northern District of California Ordering a Bench Warrant as to Paul Sholtz:, filed. (mlerma,) (Entered: 07/29/2008)
07/28/2008	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Calvin Botley: INITIAL APPEARANCE as to Paul Sholtz, (Deft informed of rights) held on 7/28/2008. Appearances:S. Louis AUSA.A. Sanchez AFPD(ERO:Yes) Deft remanded to USM, filed.(mlerma,) (Entered: 07/30/2008)
07/28/2008	<u>3</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER - Houston for Paul Sholtz (Signed by Magistrate Judge Calvin Botley) Parties notified. (mlerma,) (Entered: 07/30/2008)
07/28/2008	<u>4</u>	WAIVER of Rule 5 & 5.1 Hearings by Paul Sholtz, filed. (mlerma,) (Entered: 07/30/2008)
07/28/2008	<u>5</u>	COMMITMENT TO ANOTHER DISTRICT as to Paul Sholtz. Defendant committed to Northern District of California (Signed by Magistrate Judge Calvin Botley) Parties notified. (mlerma,) (Entered: 07/30/2008)
07/30/2008	<u>6</u>	RULE 5 Papers sent to Northern District of California, San Jose Division as to Paul Sholtz, filed.(mlerma,) (Entered: 07/30/2008)
07/30/2008		(Court only) ***Case Terminated as to Paul Sholtz (mlerma,) (Entered: 07/30/2008)

AO 94 (Rev. 8/97) Commitment to Another District

UNITED STATES DISTRICT COURT

Southern

District of

Texas

UNITED STATES OF AMERICA

v.

Paul Sholtz

COMMITMENT TO ANOTHER DISTRICT

DOCKET NUMBER

MAGISTRATE/JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

C-07-4234

H-08-57911

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

 Indictment Information

Complaint

 Other (specify)

Petition

charging a violation of

U.S.C. §

failure to appear warrant

DISTRICT OF OFFENSE

Northern District of California, San Jose

DESCRIPTION OF CHARGES:

failure to appear

CURRENT BOND STATUS:

Bail fixed at / deposit and conditions were not met

Government moved for detention and defendant detained after hearing in District of Arrest

Government moved for detention and defendant detained pending detention hearing in District of Offense

 Other (specify) No bondRepresentation: Retained Own Counsel Federal Defender Organization CJA Attorney NoneInterpreter Required? No Yes Language:

DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

7/28/08

Date

United States Judge or Magistrate Judge

RETURN

CERTIFIED
AUGUST 7 2008
MICHAEL N. MILBY, CLERK
By *[Signature]* Deputy Clerk

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED

AO 466A (Rev. 10/03) Waiver of Rule 5 & 5.1 Hearings

UNITED STATES DISTRICT COURT

Southern

DISTRICT OF

TEXASCLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
7/28/08
BY DEPUTY CLERK
MICHAEL WILBY, CLERK

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint/Indictment)

v.

PAUL SHOLTZ

Defendant

CASE NUMBER: H-08-5794CHARGING DISTRICTS
CASE NUMBER: C-07-04234

I understand that charges are pending in the Northern District of CALIFORNIA and that I have been arrested in this district and
 alleging violation of CONTempt and that I have been arrested in this district and
 (Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

identity hearing
 preliminary hearing
 identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

X Paul Sholtz
DefendantJ. Sholtz
Defense Counsel7/28/08

Date

IN THE COPY I CERTIFY
 I am Michael P. Lemma, Clerk of Court
 and Michael P. Lemma, Deputy Clerk

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

§

Plaintiff,

§

versus

§

CRIMINAL CASE H-08-579M

Paul Sholtz,

§

Defendant.

§

§

§

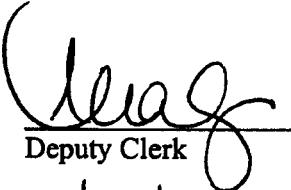
Order Appointing Counsel

Because the defendant has satisfied this court that he cannot afford to employ counsel, the court appoints the Federal Public Defender to represent him.

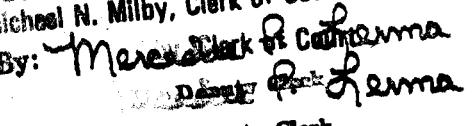
Signed _____, 2004 at Houston, Texas.

Calvin Botley
United States Magistrate Judge

By Order of the Court


Deputy Clerk

1/22/08
Date

TRUE COPY I CERTIFY
ATTEST: BY I CERTIFY
Michael N. Milby, Clerk of Court
By: 
Deputy Clerk

COURTROOM MINUTES:The Honorable Calvin Botley Presiding
Deputy Clerk Paul A. WebermeyerInterpreter Present? Yes No ERO S. GueraraUSPT/USPO V. Endley OTHER DISTRICT DIVISION N. D. California

THEIR CASE#

C-07-4234 2:48-2349

Clerk, U.S. District Court

Southern District of Texas

Filed

7/28/08

Michel N. Milby, Clerk

OPEN 2:08 ADJOURN 2:12**PROCEEDING HELD:**

Initial Appearance Counsel Determination Hearing
 Bond Hearing Identity
 Detention Hearing Preliminary Hearing

Status Hearing
 Hearing Continued on _____
 Other _____

CASE NUMBER CR MJ

Defendant #

08-319MPaul SholtzAUSA Sam LouisAndres Sanchez F Date of arrest 7-28-08 Rule 5 Defendant's first appearance, Advised of rights/charges on: Indictment Information Superceding
Violation of Supervised Release Probation Defendant Material Witness appeared with without counsel Defendant requests appointed counsel. Order appointing Federal Public Defender Order of partial reimbursement to follow. Oral order, Defendant to Reimburse CJA fund \$ _____ Defendant advises that he will retain private counsel. _____ Defendant _____ bond set Cash Surety P/R Unsecured \$ _____ Deposit Defendant _____ bond set Cash Surety P/R Unsecured \$ _____ Deposit Defendant _____ bond set Cash Surety P/R Unsecured \$ _____ Deposit Surety signatures required as to Defendant(s) _____. Defendant(s) _____ advised of conditions of release BOND EXECUTED and Defendant _____ Released No bond set at this time. 10 day Detention Order entered, as to Defendant(s) _____ Order of Temporary Detention Pending Hearing entered as to Defendant(s) _____ Order of Detention Pending Trial entered as to Defendant(s) _____. Bond revoked Bond reinstated Bond Continued Defendant _____ remanded to custody M/W remanded to custody Defendant Ordered Removed to Originating DistrictDefendant Waiver of Preliminary Identity Detention Hrg Detention Hrg this District Court finds: Probable Cause Identity Defendant(s) _____ is/are scheduled on _____ at _____ for:

Arraignment Counsel Determination Hearing
 Detention Hearing Preliminary Hearing

Identity Hearing
 Final Revocation Hearing

Andres Sanchez present

I, the COPY CERTIFY

AFFEST:

Michel N. Milby, Clerk of Court

By: Mercedes P. Lamm
Deputy Clerk